

## **RULE IMPACT STATEMENT**

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Transportation ("ODOT") hereby submits the following Rule Impact Statement for the amendment of PERMANENT rules contained in **OAC Title 730:35-13-1. Purpose.**

### **Brief Description of the Purpose of the Proposed Rules:**

The rule amendment proposed to OAC 730:35-13-1. Purpose is required to update outdated language in the rule and bring the rule into compliance with national standardized guidelines used by the Department. The amendment now includes references to the national standards and guidelines are applied with regard to supplemental guide signs by the Department.

### **Description of the classes of persons who most likely will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:**

The Department does not anticipate there to be any costs associated with amending this rule because the changes are being made to bring the rule into compliance with national guidelines. The Department will bear any such costs if incurred.

### **Description of the classes of persons who will benefit from the proposed rule:**

The public and the Department will benefit from the amendment of this rule because it will remove outdated language and bring the rule into compliance with national standardized guidelines that are followed by the Department.

### **Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever possible, separate justification for each fee change:**

No economic impact is expected on any individual persons or classes of persons, the Department, or any other political subdivisions. This rule amendment does not create or cause a fee change.

### **A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:**

The proposed amendment of this rule will not have any economic impact on the Department but or any other agency. The amendment of this rule will actually update and clarify the rules.

**A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:**

No anticipated adverse economic effect on small business in Oklahoma is anticipated due to the amendment of this rule. The proposed amendment corrects outdated language and provides clarity as to what national guidelines and standards are used by the Department.

**A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:**

The proposed amendment of this rule will have no effect on the public health, safety, and environment. All the rule does is eliminate incorrect language and provide clarification as to what national standards and guidelines are being used by Department.

**A determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:**

Failure to amend the rule as proposed will have no detrimental effect on the public health, safety, and environment. However, failure to amend this rule could create confusion because would allow a rule to remain that has false or misleading information about national standards that are applied by the Department.

**Date the rule impact statement was prepared, and the date modified:**

Prepared: January 18, 2023

Modified: n/a/

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## **RULE IMPACT STATEMENT**

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Transportation ("ODOT") hereby submits the following Rule Impact Statement for the amendment of PERMANENT rules contained in **OAC Title 730:35-13-2. Criteria and limitations for traffic generator signs.**

### **Brief Description of the Purpose of the Proposed Rules:**

The rule amendment proposed to OAC 730:35-13-2. Criteria and limitations for traffic generator signs is needed to bring the rule into compliance with national standardized guidelines used by the Department by eliminating outdated language and clarifying what national standards will be applied.

### **Description of the classes of persons who most likely will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:**

The Department does not anticipate there to be any costs associated with amending this rule because the changes are being made to bring the rule into compliance with national guidelines and remove language that is outdated and no longer accurate. The Department will bear any such costs if incurred.

### **Description of the classes of persons who will benefit from the proposed rule:**

The public and the Department will benefit from the amendment of this rule because it will remove outdated language and inaccurate language and bring the rule into compliance with national standardized guidelines that are followed by the Department.

### **Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever possible, separate justification for each fee change:**

No economic impact is expected on any individual persons or classes of persons, the Department, or any other political subdivisions. This rule amendment does not create or cause a fee change.

### **A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:**

The proposed amendment of this rule will not have any economic impact on the Department but or any other agency. The amendment of this rule will actually update and clarify the rules.

**A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:**

No anticipated adverse economic effect on small business in Oklahoma is anticipated due to the amendment of this rule. The proposed amendment corrects outdated language and provides clarity as to what national guidelines and standards are used by the Department.

**A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:**

The proposed amendment of this rule will have no effect on the public health, safety, and environment. All the rule does is eliminate incorrect language and provide clarification as to what national standards and guidelines are being used by Department.

**A determination of any detrimental effect on the public health, safety, and environment if the proposed rules are not implemented:**

Failure to amend the rule as proposed will have no detrimental effect on the public health, safety, and environment. However, failure to amend this rule could create confusion because would allow a rule to remain that has false or misleading information about national standards that are applied by the Department.

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## **RULE IMPACT STATEMENT**

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Transportation (“ODOT”) hereby submits the following Rule Impact Statement for the amendment of PERMANENT rules contained in **OAC Title 730:35-13-3. Traffic generators that do not normally warrant signing.**

### **Brief Description of the Purpose of the Proposed Rules:**

The rule amendment proposed to OAC 730:35-13-3. Criteria and limitations for traffic generator signs is needed to bring the rule into compliance with national standardized guidelines used by the Department by eliminating outdated language and clarifying what national standards will be applied. The Appendixes D, E and F are also no longer accurate and needs to be removed.

### **Description of the classes of persons who most likely will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:**

The Department does not anticipate there to be any costs associated with amending this rule because the changes are being made to bring the rule into compliance with national guidelines and remove language that is outdated and no longer accurate. The Department will bear any such costs if incurred.

### **Description of the classes of persons who will benefit from the proposed rule:**

The public and the Department will benefit from the amendment of this rule because it will remove outdated language and inaccurate language and bring the rule into compliance with national standardized guidelines that are followed by the Department.

### **Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever possible, separate justification for each fee change:**

No economic impact is expected on any individual persons or classes of persons, the Department, or any other political subdivisions. This rule amendment does not create or cause a fee change.

### **A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:**

The proposed amendment of this rule will not have any economic impact on the Department but or any other agency. The amendment of this rule will actually update and clarify the rules.



**A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:**

No anticipated adverse economic effect on small business in Oklahoma is anticipated due to the amendment of this rule. The proposed amendment corrects outdated language and provides clarity as to what national guidelines and standards are used by the Department.

**A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:**

The proposed amendment of this rule will have no effect on the public health, safety, and environment. All the rule does is eliminate incorrect language and provide clarification as to what national standards and guidelines are being used by Department.

**A determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:**

Failure to amend the rule as proposed will have no detrimental effect on the public health, safety, and environment. However, failure to amend this rule could create confusion because would allow a rule to remain that has false or misleading information about national standards that are applied by the Department.

**Date the rule impact statement was prepared, and the date modified:**

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## **RULE IMPACT STATEMENT**

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Transportation ("ODOT") hereby submits the following Rule Impact Statement for the amendment of PERMANENT rules contained in **OAC Title 730:35-1-4. Maintenance.**

### **Brief Description of the Purpose of the Proposed Rules:**

The rule amendment proposed to OAC 730:35-1-4. Maintenance is required to update outdated language in the rule and to remove rule impediments to ODOT paying for certain traffic control and pavement marking maintenance that ODOT would otherwise be able to fund if the language of this statute is changed.

### **Description of the classes of persons who most likely will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:**

The Department does anticipate there to be some costs associated with amending this rule. The Department will bear any such costs, much of which will be covered by federal funding that can be used for traffic signal and payment marking maintenance.

### **Description of the classes of persons who will benefit from the proposed rule:**

The public and the Department will benefit from the amendment of this rule because the it will allow the Department to pay for the maintenance of traffic signal and payment markings that would otherwise be funded by municipalities who cannot afford to pay for the maintenance, which causes delay to needed maintenance due to cost. This amendment is allowed by statute and will increase the ability of ODOT to assist small municipalities by covering the costs of the maintenance so it can be performed quicker and efficiently.

### **Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever possible, separate justification for each fee change:**

No economic impact is expected on any individual persons or classes of persons. This amendment will have a positive economic impact on political subdivisions other than ODOT. That is because the amendment will allow ODOT to fund traffic signal and pavement marking maintenance that may otherwise not be performed due to lack of funding by smaller municipalities across the State. This rule amendment does not create or cause a fee change. The amendment of this rule will ensure that proper traffic signal and pavement marking maintenance happens when needed and will assist smaller municipalities who do not have the economic ability to pay for the needed maintenance.

**A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:**

The proposed amendment of this rule will have some economic impact on the Department but not on any other agency. The amendment to this rule will give ODOT authority to fund more traffic maintenance and pavement marking projects than before. Any additional costs or economic impacts are anticipated to be absorbed by ODOT and will not result in or create a need for an appropriation increase. No additional funding from the State will be needed to implement this amendment and no other agency or municipality will bear additional costs due to this amendment. ODOT receives federal funding that can be used to pay for any additional costs incurred by this amendment.

**A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:**

No anticipated adverse economic effect on small business in Oklahoma is anticipated due to the amendment of this rule. The proposed amendment will allow ODOT to better assist and fund smaller municipalities with traffic signal and pavement marker maintenance, which means more projects will be let, which should lead to more work for small businesses throughout the State who can be contracted to provide maintenance.

**A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:**

The proposed amendment of this rule will have a positive effect on the public health, safety, and environment because this rule will allow needed traffic signal and pavement marker maintenance projects to be performed as needed and not be delayed due to a municipality not being able to afford the maintenance costs. By making repairs as needed without delay, this improves the public health, safety, and environment.

**A determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:**

Failure to amend the rule as proposed will have a detrimental effect on the public health, safety, and environment. The amendment is needed so ODOT can ensure the safety of the traveling public by making needed traffic signal repairs and pavement marker repairs as needed without having to wait for a local municipality to be able to afford the costs of repairs. Failure to amend this rule



will prevent ODOT from being able to assist municipalities with funding that can be used for traffic signal and pavement marking repairs as needed and allowed by statute.

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Modified: n/a/

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